

*[No Minutes Were Generated on Monday, September 7, 1998,
Due to the Observance of Labor Day, a National Holiday.]*

1461

**SUPREME COURT MINUTES
TUESDAY, SEPTEMBER 8, 1998
SAN FRANCISCO, CALIFORNIA**

S059739 In re James Robert Scott
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's return to the order to show cause is extended to and including November 10, 1998.

S067887 In re Stephen Louis Mitcham
 on
 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including October 13, 1998.

S070580 People, Respondent
 v.
 Sylvester Thomas, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief on the merits is extended to and including October 9, 1998.

S072964 Harold D. Van Horn, Petitioner
 v.
 Los Angeles County Superior Court, Respondent
 People, Real Party in Interest

The above entitled matter is transferred to the Court of Appeal, Second Appellate District.

Bar
Misc.
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S072196

In the Matter of the Suspension of Attorneys
Pursuant to Rule 962 California Rules of Court

Having been provided proof of compliance pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the suspension of **John Royall Read III** pursuant to our order filed on July 28, 1998, is hereby terminated.

This order is final forthwith.

S071340

In re **Alfredo Garcia Flores** on Discipline

It is ordered that **Alfredo Garcia Flores** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed May 7, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7.

S071341

In re **John M. Wren** on Discipline

It is ordered that **John M. Wren** be suspended from the practice of law for one year and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii),

Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 180 days actual suspension recommended by the Hearing Department of the State Bar Court in its Order Regarding Stipulation filed July 17, 1997. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code, § 6140.7.)

*(See Business & Professions Code, § 6126, subd. (c).)

S071343 In re **Miguel Angel Verdugo** on Discipline

It is ordered that **Miguel Angel Verdugo** be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed May 12, 1998. He is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and those costs are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S071344 In re **Edward Ronald Kropacek** on Discipline

It is hereby ordered that **Edward Ronald Kropacek** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Costs are awarded to the State Bar.

S071346 In re **Robert William Lade** on Discipline

It is ordered that **Robert William Lade** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days and until he provides satisfactory evidence to the State Bar's Probation Unit that he has personally appeared, subsequent to September 19, 1996, before a court in Marin County concerning case number CR063918A. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed March 23, 1998, as modified by its order filed May 6, 1998. If the period of actual suspension is two years or greater, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this Order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If the period of actual suspension is 90 days or greater, he is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7 as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S071347 In re **Jerry Martin Cohen** on Discipline

It is ordered that **Jerry Martin Cohen** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed April 29, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform

the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7 as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S071348 In re **Sayre MacNeil** on Discipline

It is ordered that **Sayre MacNeil** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed May 19, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar. For good cause shown, the costs shall be divided into three equal payments, and added to the membership fees due for the 1999, 2000, and 2001 calendar years.

S071349 In re **Marvin Lafayette Mathis** on Discipline

It is ordered that **Marvin Lafayette Mathis** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed March 31, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in equal amounts prior to February 1 for membership years 1999 and 2000.

S071350 In re **Quentin B. Simms** on Discipline

It is ordered that **Quentin B. Simms** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. He is also ordered to comply with the other conditions of probation recommended by the Hearing

Department of the State Bar Court in its order approving stipulation filed May 12, 1998. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S071351 In re **Creig Alan Dolge** on Discipline

It is ordered that **Creig Alan Dolge** be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 135 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed April 30, 1998. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S071359 In re **Paul Arthur Price** on Discipline

It is hereby ordered that **Paul Arthur Price** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S071360 In re **Peter L. Nisson** on Discipline

It is ordered that **Peter L. Nisson** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the

Hearing Department of the State Bar Court in its order approving stipulation filed April 24, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S071362 In re **Mark Mitchell Geyer** on Discipline

It is ordered that **Mark Mitchell Geyer** be suspended from the practice of law for 30 days, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed April 24, 1998, as modified by its order filed May 27, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S071363 In re **Jeremiah J. Leahy** on Discipline

It is ordered that **Jeremiah J. Leahy** be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for one year and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii),

Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed May 13, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) He is further ordered that he comply with rule 955, California Rules of Court, he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S071366 In re **William Spiller, Jr.**, on Discipline

It is ordered that **William Spiller, Jr.**, be suspended from the practice of law for 30 days, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed May 4, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination, and provide the State Bar Probation Unit with satisfactory proof that he has passed that examination, within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S071367 In re **Gerald L. Marcus** on Discipline

It is ordered that **Gerald L. Marcus** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including eight months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed April 29, 1998. It is further ordered that he take and pass the Multistate Professional

Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S071369 In re **Robert P. Famularo** on Discipline

It is ordered that **Robert P. Famularo** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. He is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed April 22, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6140.7 (as amended effective January 1, 1997) and one-half thereof shall be paid prior to each February 1 of calendar years 1999 and 2000.

S071394 In re **Marci A. Sandoval** on Discipline

It is ordered that **Marci A. Sandoval** be suspended from the practice of law for two years, that execution of suspension be stayed, and that she be placed on probation for three years subject to the conditions of probation, including one year actual suspension, recommended by the Hearing Department of the State Bar Court in its decision filed April 30, 1998. It is further ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance Business and Professions Code with section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S071427 In re **Wayne Bruce Allbin** on Discipline

It is ordered that **Wayne Bruce Allbin** be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for six months and until he makes restitution to Helene A. Shik in the amount of \$1,600 plus 10% interest from April 25, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of Trials. Should the period of actual suspension exceed two years, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed May 6, 1998. It is also ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S071429 In re **Peter Douglas Debruyn** on Discipline

It is ordered that **Peter Douglas Debruyn** be suspended from the practice of law for three years, and until he makes restitution to California Professional Collection Services/Coast Emergency Physicians (or the Client Security Fund, if appropriate) in the amount of \$475.06, plus 10% interest per annum accruing from March 1, 1998; to Central Financial Control/Lakewood Regional Medical Service (or the Client Security Fund, if appropriate) in the amount of \$1357, plus 10% interest per annum accruing from August 8, 1991; to Credit Bureau Services/Century Radiology (or the Client Security Fund, if appropriate) in the amount of \$353.98, plus 10% interest accruing from March 1, 1998; to Gess Associates/Adams Ambulance (or the Client Security Fund, if appropriate) in the amount of \$602.27, plus 10% interest accruing from March 1, 1998; and to Transcontinental Credit Service/Dr. John Hanlon (or the Client Security Fund, if appropriate) in the amount of \$165.47, plus 10% interest accruing from March 1, 1998; and furnishes satisfactory

proof thereof to the Probation Unit, State Bar Office of Trials; that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for one year and until he makes restitution to California Professional Collection Services/Coast Emergency Physicians (or the Client Security Fund, if appropriate) in the amount of \$475.06, plus 10% interest per annum accruing from March 1, 1998; to Central Financial Control/Lakewood Regional Medical Service (or the Client Security Fund, if appropriate) in the amount of \$1357, plus 10% interest per annum accruing from August 8, 1991; to Credit Bureau Services/Century Radiology (or the Client Security Fund, if appropriate) in the amount of \$353.98, plus 10% interest accruing from March 1, 1998; to Gess Associates/Adams Ambulance (or the Client Security Fund, if appropriate) in the amount of \$602.27, plus 10% interest accruing from March 1, 1998; and to Transcontinental Credit Service/Dr. John Hanlon (or the Client Security Fund, if appropriate) in the amount of \$165.47, plus 10% interest accruing from March 1, 1998; and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of Trials. He is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed May 14, 1998. If the period of actual suspension is two years or more, he shall remain actually suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)